#163 PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-conforming use of a retail shopping area and apartments I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I. We do solemnly declare and affirm, under the penalties of perjury, that I. we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): Gussie's, Inc. (Type or Print Name) (Type or Print Name) City and State ert J. Romadka/John B. Gontrum 340 Savannah Road Baltimore, Md. 21221 City and State astern Blvd. Name, address and phone number of legal owner, con required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106 County Office Building in Towson, Baltimore 11th day of June 1981, at 10:45 c'clock RESCHEDULED TO: Tuesday, July 14, 1981 at 1:30 P.M.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

1.30 RA

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 Robert J. Romadka, Esquire John B. Gontrum, Esquire 809 Eastern Blvd. Chairman

Baltimore, Maryland 21221 RE: Item No. 163

State Roads Commission

Bureau of Fire Prevention Health Department Project Planning

Bureau of

Z.C.O.-No. 1

Building Department Board of Education Industrial.

Zoning Administration

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning. Enclosed are all comments submitted to this offfice from the

committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

Petitioner - Gussie's Inc.

Special Hearing Petition

NBC:bsc Enclosures

cc: Frank S. Lee 1277 Neighbors Avenue

Baltimore, Md. 21237

BALTIMORE COUNTY ZONING RLANS PETITION AND SITE PLAN

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond

May 25, 1981

Norman E. Gerber, Director FROM Office of Planning and Zoning

SURJECT Petition No. 81-212-SPH Item 163

Petition for Special Hearing West side of Old Eastern Avenue, 16 feet North of Rickenbacker Petitioner- Gussie's, Inc.

Fifteenth District

HEARING: Thursday, June 11, 1981 (10:45 A.M.)

Since the purpose of this hearing is to determine the legal status of this property as to non-conformance, this office offers no comment.

Office of Planning and Zoning

NEG:JGH:ab

Robert J. Rosseks/John B. Control, Dequire 809 Eastern Mive.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received and accepted for filing this

WILLIAM E. HAMMOND Zoning Commissioner

Petitioner Cussis's, Inc.

Chairman, Zoning Plans

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E. DIRECTOR

April 9, 1981

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #163 (1980-1981) Property Owner: Gussie's Inc. W/S Eastern Avenue 15.67' N. of Rickenbacker Rd. Acres: 0.63 District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item. General:

Baltimore County highway and utility improvements are not directly involved in connection with this Special Hearing for approval of a non-conforming use.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this It m #163 (1980-1981).

RAM: EAM: FWR: SS I-SE Key Sheet 9 NE 32 Pos. Sheet NE 3 H Topo 90 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

NORMAN E. GERBER DIRECTOR

May 18, 1981

Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #163, Zoning Advisory Committee Meeting, March 10, 1981, are as follows:

Property Owner: Gussie's Inc. Location: W/S Eastern Avenue 15.67' N. of Rickenbacker Road Acres: 0,63 District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

Since the petition is to approve a non-conforming use, there are no site planning factors requiring comment at this time.

John Zerbublez

John L. Wimbley Planner III

Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204 DONALD I ROOP, M.D., M.P.H. DEPUTY STATE G COUNTY HEALTH OFFICET.

March 13, 1981

Mr. William E. Hammond Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 163, Zoning Advisory Committee Meeting of March 10, 1981, are as follows:

> Property Owner: Gussie's Inc. W/S Eastern Avenue 15.67'N of Rickenbacker Road Existing Zoning: D.R. 16

Proposed Zoning: Special Hearing to approve a non-conforming use of retail shopping for 1700 Old Eastern Avenue. Acres:

District:

Metropolan water and sewer exist.

Prior to construction, renovation and or installation of equipment for this food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmenta, Support Services, Baltimore County Department of Health, for review and approval.

IJF/kc

Pursuant to the edvertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

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Application that the same of t

Marie Marie

Kendag tien armobered Buttmere Turner.

IN THE MATTER OF

AND APARTMENTS

ROAD - 15th DISTRICT

District of Baltimore County.

September 21, 1984.

()

GUSSIE'S, INC. FOR A SPECIAL HEARING

TO APPROVE A NON-CONFORMING USE OF A RETAIL SHOPPING AREA

ON PROPERTY LOCATED ON THE

WEST SIDE OF OLD EASTERN AVE.,

16 FT. NORTH OF RICKENBACKER

n et la gallack ede except best est ganned vistiga est to this. For my et a rem en had correct, counting the

respects and proceed that the test of the process of the entire test of the entire test of the entire test of

A continue of the same of the

conforming use of a retail shopping area and apartments, on property located on the

west side of Old Eastern Avenue, 16 feet north of Rickenbacker Road, in the 15th

of appeal filed September 21, 1984 (a copy of which letter is attached hereto and made

a part hereof) from the attorney representing the Petitioners in the above entitled

petition filed on behalf of said Petitioners be dismissed and withdrawn as of

petition be and the same is withdrawn and dismissed.

Petition of Gussie's, Inc. for a Special Hearing for approval of a non-

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal

WHEREAS, the said attorney for the said Petitioners requests that the

IT IS HEREBY ORDERED this 25th day of September, 1984, that said

William R. Evans

COUNTY BOARD OF APPEALS

Lawrence E. Schmidt, Acting Chairman

ORDER OF DISMISSAL

BEFORE

COUNTY BOARD OF APPEALS

BALTIMORE COUNTY

No. 81-212-SPH

1 Ve le colemny de luc and affirm under the penalties el penjary that I ne

s a the legal cameris, of the property

The inchessions because of the property of the property of the property of the property of the description for a deal of the description of the following the control of the following the following of the following the following the second appropriate the following the second arms of the following the following the second arms of the second ar BALTH ORE COUNTY FIRE DEPARTMENT
TOWSON, MARYLAND 21204

PAUL H. REINCKE

Mr. William Hammond Toning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

> Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Gussie's Inc.

Location: W/S Eastern Avenue 15.67' N. Rickenbacker Road

Zoning Agenda: Meeting of March 10, 1981

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

March 20, 1981

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(XX) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

REVIEWER: AT June Many Moted and Heavy Min Cognical Planning Group Planning Group Fire Prevention Bureau

Special Inspection Division

Gontrum, Hennegan & Foos BERMANIA FEDERAL BUILDING 809 BASTERN BOULEVARD ESSEX, MARYLAND \$1221

ALPRED M. WALPERT

County Board of Appeals of Baltimore County Room 200, Court House

Thank you for your attention and cooperation in

ROBERT J. ROMADKA JOHN B. GONTRUM JOHN O. HENNEGAN CHARLES E. FOOS. III

September 18, 1984

Towson, Maryland 21204

RE: Gussie's Inc. Case #81-212-SPH

Gentlemen:

Per your letter of August 22nd, I would appreciate your dismissing the above captioned case now on appeal.

this matter.

JBG/msw cc: Mr. Clyde Woodard

DALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building

Comments on Item # Zoning Advisory Committee Meeting, March 10, 1981

Property Owner: Gussie's Inc

Location: W/S Eastern Avenue 15.67' N. of Rickenbacker Road Existing Zoning: D.R. 16 Proposed Zoning: Decial Hearing to approve a non-conforming use of retail shopping for 1700 Old Eastern Avenue

X A. All structures shall conform to the Baltimore County Building Code 1975, the State of Maryland Code for the Handicapped and Aged; and other applicable Codes, as may be applicable. B. A building/ _____permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. In wood frame construction an exterior wall erected within 6' 0 of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted with a 3'-0 of lot line. A minimum 8" masonry firewall is required if construction

F. Requested variance conflicts with the Baltimore County Building Code.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required set s of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

Before this office can comment on the above structure, please have the owner, thru the service a Registered in Maryland Architect or Engineer certify to this office, that he structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction

X I. Comments in conforming uses Sections 105.1 amended and Section 119.3. In complying with Section 119.3 it is recommended the applicant call for an inspection to confirm there are no violations and to receive an occupancy certificate. MOTE. These comments reflect only on the information provided by the drawing

submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.

If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

RE: PETITION FOR SPECIAL HEARING * W/S of Old Eastern Avenue, 16' N of Rickenbacker Rd ZONING COMMISSIONER 15th Election District Gussie's Inc. - Petitioner NO. 81-212-SPH (Item No. 163)* BALTIMORE COUNTY

> * * * * * * * * * ORDER FOR APPEAL

Please note an Appeal of the decision in the above entitled matter under date of July 20, 1983 to the Board of Appeals for Baltimere County.

ROMADKA, GONTRUM, HENNEGAN & FOOS 809 Eastern Boulevard Baltimore, Maryland 21221 686-8274 Attorneys for Petitioner

I HEREBY CERTIFY that on this & day of August, 1983, a copy of the foregoing was mailed to John W. Hessian, III, People's Counsel for Baltimore County, Room 223, Court House, Towson, Maryland 21204.

ZONING DEPARTMENT

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: March 5, 1981

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: March 10, 1981

RE: Item No: 162, 163, 164, 165 Property Owner: Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours Wm. Nick Petrovich, Assistant Department of Planning

*** *** ***

RE: PETITION FOR SPECIAL HEARING BEFORE THE W/S of Old Eastern Avenue, 16' N of Rickenbacker Road - 15th ZONING COMMISSIONER Election District Gussie's, Inc. - Petitioner NO. 81-212-SPH (Item No. 163) BALTIMORE COUNTY

*** *** ***

The petitioner herein, Gussie's, Inc., seeks to establish the existence of nonconforming uses for a retail shopping area and apartments. The subject property is located on the northwest corner of Rickenbacker Road and Old Eastern Avenue, has a frontage of 100 feet on Old Eastern Avenue, contains 0.63 of an acre, more or less, is moned D.R. (Density, Residential) 16, and is improved with two separate buildings, as shown on the site plans prepared by Frank S. Lee, dated November 25, 1980, and marked Petitioner's Exhibit 1, and revised August 26, 1981, and marked Petitioner's Exhibit 1A.

Testimony presented by Clyde Woodard, President of the petitioning corporation, and supported by Daniel Hubers, a resident and businessman in the community, was to the effect that the subject property was purchased in 1965, that the improvement fronting on Old Eastern Avenue (1700 Old Eastern Avenue) - contained commercial uses and three apartments to the rear of the second floor of said improvement, and that the separate improvement located to the west contained two apartments and two garages, one of which was used for storage and the other for automobile parking. Mr. Woodard testified that the commercial uses existing in 1951, the year he first became familiar with the property, were a grocery store, liquor store, restaurant, dry cleaner, barter shop, and pool hall. Following 1951, some of these uses terminated. At the time Mr. Woodard purchased the property, only the restaurant, liquor store, sher ryer sales and service store, and beauty shop still existed and have continued with no interruption of a year. The square footage devoted to each of these businesses is reflected on Petitioner's Exhibit 1A.

Mr. Hubers testified that he lived acress the street from the site when ne was a child. He recalled that a liquor store, grocery store, and beauty shop were operating from 1700 Old Eastern Avenue in 1945. Since that time, other retail uses have existed in increased or decreased square footages. Additionally, he knows the existing commercial/residential uses have not

JAN 24 1985

ROBERT J. ROMADKA

changed or terminated from 1945 to the date of the hearing because his present business is located only one-half mile away from the site and he is able to observe the property everyday.

Since no one appeared at the hearing in opposition to the petition and this Commissioner feels that the finding of nonconforming uses being conducted on the subject property will not adversely affect the health, safety, and general welfare of the community,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of July, 1983, that the nonconforming uses for a restaurant, liquor store, washer-dryer sales and service store, and beauty shop in the improvement known as 1700 Old Eastern Avenue, including three apartments to the rear of the second floor of said improvement, and two apartments and two garages in the separate improvement located to the west, in accordance with Petitioner's Exhibits 1 and 1A, have existed and have been conducted prior to the adoption of the Baltimore County Zoning Regulations and, as such, are hereby GRANTED the right to continue from and after the date of this Order, subject, however, to the following restrictions:

- 1. Abandonment or discontinuance for a period of one year or more shall terminate the nonconforming uses.
- 2. Damage by fire or other casualty of the improvement to the extent of 75% of its replacement cost at the time of such loss shall terminate the nonconforming uses.
- 3. A revised site plan, changing Eastern Avenue to Old Eastern Avenue and incorporating the restrictions set forth above, shall be submitted for approval by the Department of Public Works and the Office of Planning

Baltimore County

RE: PETITION FOR SPECIAL HEARING W/S of Cld Eastern Ave., 16' N of Rickunbacker Rd., 15th District

: BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

GUSSIE'S, INC., Petitioner : Case No. 81-212-SPH

::::::

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Leter Max Zinnerman Peter Max Zimmerman Deputy People's Counsel

the Wideournitt John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 5th day of June, 1981, a copy of the foregoing Order was mailed to Robert J. Romadia, Esquire and John B. Gontrum, Esquire, 809 Eastern Boulevard, Baltimore, Maryland 21221, Attorneys for Petitioner.

- 2 -

County Board of Appeals of Baltimore County Room 200 Court Mouse Towson, Maryland 21204 (301) 494-3180

January 11, 1984

NOTICE OF POSTPONEMENT

GUSSIE'S, INC. CASE NO. 81-212-SPH

> W/S OLD EASTERN AVENUE 16' N. OF RICKENBACKER ROAD

15th DISTRICT

Scheduled for hearing on Wednesday, January 25, 1984 at 10 a.m. has been POSTPONED at the request of counsel for the petitioner (appeal may be moot). Will be reset at a later date.

cc: Robert J. Romadka, Esquire John B. Gontrum, Esquire

Gussie's, Inc.

Thomas J. Bollinger, Esquire

N. E. Gerber

J. G. Hoswell A. Jablon

J. E. Dyer

J. Jung

A. January

Edith T. Eisenhart, Adm. Secretary

11/17/83 - Following were notified of hearing set for Wed., Jan. 25, 1985, at 10 a.m.:

A. January J. Jung

R. Romadka J. Gontrum Gussie's Inc. T. Bollinger N. Gerber

J. Hoswell

County Board of Appeals Room 219, Court House Towson, Maryland 21204 November 17, 1983

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONE-MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEAR-ING DATE IN ACCORDANCE WITH RULE 2(e), COUNTY COUNCIL BILL #108

CASE NO. 81-212-SPH

W/s Old EasternAve., 16' N of Rickenbacker Rd.

15th District

GUSSIE'S INC.

SPH-for approval of a nonconforming use of a retail shopping area and apts.

7/20/83 - Z.C. Granted, subj. to restrictions

ASSIGNED FOR:

WEDNESDAY, JANUARY 25, 1987, at 10 a.m.

cc: Robt. J. Romadka, Esq. Counsel for Petitioners John Gontrum, Esq.

T. J. Bollinger, Esq. Office of Law

N. E. Gerhar

Gussie's, Inc.

J. Hoswell

A. Jablon

J. Dyer A. January

J. Jung

June riolmen, Secretary

August 22, 1984

Robert J. Romadka, Esquire John B. Gontrum, Esquire 809 Eastern Boulevard Baltimore, MD 21221

> Ret Case No. 81-212-SPH Gussle's, Inc.

Dear Sirst

The above entitled case was appealed to this Board on August 11, 1983. The case was scheduled for hearing on January 25, 1984 but postponed at your request as there was a possibility that the appeal would be dismissed as the issue would become moot.

inasmuch as we have not heard further from you we would appreciate your advice as to the current status of this case. If it is most please dismiss your appeal, if not, we will schedule the case for hearing. Thank you.

Very truly yours,

William T. Hackett, Chairman

rdka, Gontrum, Hennegan & Foos SOS EASTERN BOULEVARD

ESSEX. MARYLAND 21821

TELEPHO: (\$ (801) 686-8874

ROBERT J. ROMADKA JOHN O. HENNEGAN CHARLES E. POOS. III

ALFRED M. WALPERT January 4, 1983

JOHN B. GONTRUM

JOANNE M. PINEGAN

County Board of Appeals Room 219, Court House Towson, Maryland 21204

> Re: Gussie's Inc. W/s Old Eastern Ave., 16' N of Rickenbacker Road Case No.: 81-212-SPH

Dear Sir/Madam:

The above captioned case is scheduled for hearing on Wednesday, January 25, 1984 at 10:00 a.m. We have filed a request for a hearing which has been granted by the zoning commission and we believe that it will moot the appeal. Please pontpone the hearing which is scheduled for January 25, 1984.

> Very truly yours, John B. Gontrum

JBG:pr

July 20, 1983

Robert J. Romadka, Esquire and John B. Gontrum, Esquire Germania Federal Building 309 Eastern Boulevard Baltimore, Maryland 21221

> REs Petition for Special Hearing
> W/S of Old Eastern Avenue, 16' N of Rickenbacker Road - 15th Election District Gussie's, Inc. - Petitioner NO. 81-212-SPH (ItemNo. 163)

I have this date passed my Order in the above referenced matter in accordance with

Very truly yours

WILLIAM E. HAMMOND Zoning Commissioner

WEH/srl

Attachments

cct John W. Hessian, III, Esquire People's Counsel

ARNOLD JABLON ZONING COMMISSIONER

August 11, 1983

John W. Hessian, III, Esquire People's Counsel Room 223 - Courthouse Towson, Maryland 21204

> Re: Petition for Special Hearing W/S of Old Eastern Avenue, 16' N of Rickenbacker Road Gussie's, Inc. - Petitioner

Case No. 81-212-SPH

Dear Mr. Hessian:

Please be advised that an appeal has been filed by Robert J. Romadka and John B. Gontrum, attorneys for the petitioner, from the decision rendered by the Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Loard of Appeals.

Sincerely,

AJ:aj

MICROFILMED



County Board of Appeals of Baltimore County Room 200 Court House Towson, Maryland 21204 (301) 494-3180

September 25, 1984

Robert J. Romadka, Esq. John B. Gontrum, Esq. 809 Eastern Blvd. Baltimore, Md. 21221

Gentlemen:

Re: Case No. 81-212-SPH Gussie's, Inc.

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Encl. cc: Gussie's, Inc. Thomas J. Bollinger, Esq. Norman E. Gerber James Hoswell Arnold Jablon James E. Dyer Arlene January

ing LOCATION: West side of Old East-

era Avenue, 16 feet North of Rickenbacker Road
DATE & TIME: Thursday, June 11, 1961, at 10:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W.
Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Bat-timore County, by authority of the Zoning Act and Regulations of Bat-timore County, will hold a public

timore County, will hold a public hearing:
Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-conforming use of a retail shopping area and apartments.

All that parcel of land in the Fifteenth District of Baltimore County No. 1700 Old Eastern Avenue
15th District Baltimore County, Maryland

Maryland
Beginning for the same on the west side of Old Eastern Avenue the distance of 15.67 feet measured

the distance of 15.67 feet measured northerly along the west sids of Old Eastern Avenue from the north side of Rickenbacker Road, thence running and binding on the west side of Eastern Avenue North 23 degrees 16 minutes 24 seconds East 100 feet, thence leaving Eastern Avenue for six lines of division as follows: North 66 degrees 43 minutes 26 seconds West 348.10 feet, South 22 degrees 44 minutes 1 accords West

onds West 348.10 feet, Bouth 32 degrees 44 minutes 21 seconds West 99.70 feet, South 30 degrees 23 minutes 50 seconds East 35 feet, South 80 degrees 01 minute East 123.60 feet, South 60 degrees 41 minutes East 16.26 feet, South 54 degrees 28 minutes East 16.26 feet to the since

Public Hearing, Room 106, County
Office Building, 111 W. Chesapeake
Avenue, Towson, Maryland
By Order Of
WILLIAM E. HAMMOND,

Zoning Commissioner of Baltimore County

MICROFILMED

The Essex Times Petition : for Variance 20NING: Petition f This is to Certify, That the annexed Special Hearing LOCATION: West side was inserted in the Essex Times, a newspaper of Old Eastern Avenue feet North of Rickenbac. printed and published in Baltimore County, once in er Road TIME: Thursday, June 11, 1981, et 10:45 (ne PUBLIC HEARING Room 106. County Office
Building. 111 West Chesapeake Avenue. Towson.
Maryland
The Zoning Commissioner of Baltimore County, by authority of the
Zoning Act and Regulavious of Baltimore County,
will hold a public bearing:
Petition for Special Aue Marie Publisher.

Avenue from the north side of Rickenbacker

Road, thence the west side inding on the west side in Eastern Avenue North 23/16 34" East 100 feet.

ning.
Containing 0.53 acres of
Lond more or less.
Being the property o.
Gussis's. Inc., as shown
on plat plan filed with the
Zoning Department.
Hearing Date: Thursday, June 5°, 1981, at 10:45

Avenue, Towson.

Maryland BY ORDER OF

No.119465 BALTIMORE COUNTY, MARYLAND OFFICE OF NCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

RECEIVED Robt. J. Romadka & John B. Gontrum, Attys. FOR: Appeal fee of Case #81-212-SPH (Gussle's Inc.) C 069-++=+808010 512.A

Date of Posting 5/24/8/ District__15__ Eartern ave., 16/t.

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 21 19.81 THIS IS TO CERTIFY, that the annexed advertisement was blished in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., xxxxxxxxxxxxx day of _____, 19.81_, the first publication appearing on the 21st day of May

the jeffersonian, Cost of Advertisement, \$_____

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

81-212-5PH

MICROFILMED BALTIMORE COUNTY, MARYLAND No. 097688 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE 7/20/81 01-662

2070 7438 20

VALIDATION OR SIGNATURE OF CASHIER

AMOUNT_ \$57.00 Gussie's Inc. FOR: Partial Payment of Posting & Advertising of Case #81-212-SPH

Gussie's Inc. c/o John B. Gontrum, Esquire 809 Eastern Boule vard Baidmore, Maryland 21221

TOWSON, MARYIALID

May 12, 1981

NOTICE OF HEARING RE: Petition for Special Hearing West side of Old Eastern Ave., 16' North of Rickenbacker Rd. Case No. 81-212-SPH

Thursday, June 11, 1981

PLACE: ROCM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

MICROFILMED

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 May 28, 1981

. Hammond, Zoning Commissioner

by John B. Gortaum

the Petition for assignment of a

eviewed by U Ma

81-212- 9/1

CERTIFICATE OF POSTING ZOMING DEPARTMENT OF BALTIMORE COUNTY

MICROFILMED

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building

111 W. Chesapeake Avenue Towson, Maryland 21204

WILLIAM E HAMMOND ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

DATE_ May 11, 1981 ACCOUNT 01-662

John B. Gontrum FOR: filing fee for case #81-212-SPH

28037年211

Number of Signs:

Your Petitica has been received this

MICROFILMED

AMOUNT__ \$25.00

VALIDATION OR SIGNATURE OF CASHIER

25.00~

Robert J. Romadka, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

> Petition for Special Hearing W/s Old Eastern Ave., 16' N of Rickenbacker Rd. Gussie's Inc. - Patitioner Case No. 81-212-SPH

Dear Mr. Romadka:

This is to advise you that ______\$57,00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

57.00 w

WILLIAM E. HAMMOND Zoning Commissioner

isin ⁶	
Advertising	-
ن ې	/

PETITION FOR SPECIAL HEARING

15th DISTRICT

ZONING: Petition for Special Hearing

LOCATION: West side of Old Eastern Avenue, 16 feet North of Rickenbacker

DATE & TIME: Thursday, June 11, 1981, at 10:45 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

> Petition for Special Hearing under Section 500. 7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning Zommissioner and/or Deputy Zoning Commissioner should approve a non-conforming use of a retail shopping area and apartments.

All that parcel of hand in the Fifteenth District of Baltimore County.

MICH. FILLED

Being the property of Gussie's, Inc. as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, June 11, 1981, at 10:45 A.M. Public Hearing: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

> BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

PETITION	M	MAPPING		PROGRESS			SHEET		. 4 .e	
FUNCTION	Wall Map Or		Orig	iginal Duplicate		Tracing		200 Sheet		
	date	Ьу	date	by	date	by	dat●	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA					-					
Reviewed by: UCR					ed Pla se in ou	-	or des	cripti	_	
Previous case:				Map #	443	NE	ZH			_No

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Eastern ave 16'1 Eastern ave

	PETITION FOR SPECIAL	
	HEARING—15th DISTRICT	
	TZONING: Petition for Epecial Hear- (A Real Property of the P	
	ing and the contract of the contract of	
	LOCATION: West wide of Old Eastern Avenue, 16 feet North of	CERTIFICATE OF PUBLICATION
	Rickenbacker Road	CERTIFICATE OF PUBLICATION
	DATE & TIME: Tuesday, July 14,	
	1901 at 1:30 P.M.	
	PUBLIC HEARING Room 106, County Office Building, 111 W.	
	Chesaneaka Avanua, Towson,	
	Chesapeaka Avanue, Towson, Maryland	TOWSCN, MD.,June 25, 1981
	* The Zoning Commissioner of Bal-	
• 1	timore County, by authority of the	THE IS TO CERTIFY ALS
	Zoning Act and Regulations of Bal	THIS IS TO CERTIFY, that the annexed advertisement was
	timore County, will hold a public hearing:	
	Petition for Special Hearing un-	published in THE JEFFERSONIAN, a weekly newspaper printed
	der Section 500.7 of the haltimore	hearman in this are the state of the third in the half of he man
	County Zoning Regulations to de-	
5 8	termine whether or not the Zoning	and published in Towson. Baltimore County, Md., ************************************
	Commissioner and/er Deputy Zon- ting Omemissioner of suid approve	
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	shopping area and apertments	ofr_one_timesuccessiveCoverks before thelith
	Fifteenth District of Baltimore	· · · · · · · · · · · · · · · · · · ·
	County	day ofJuly, 19_81, the first publication
	No. 1700 Old Eastern Avenue 🐔 🖟	
* =	5th District Baltim ve County,	
4	Beginning for the same on the	appearing on the 25th day of June
•	west side of Oid Eastern Avenue at	
	the distance of 15.67 feet measured	19.81
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进门 政策 黄叶	west side of Bestern Avenue North	G. Leank Succession
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W. A. Santa	follows: North 66 degrees 42	Manager.
	min tes 26 seconds West 348.10	
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	89 degrees 48 minutes 50 seconds	Cost of Advertisement, \$ 24.50
	Dast 36 feet, South 80 degrees Of	
	minute East 123.00 feet, South 60 degrees 41 minutes East 16.25 feet,	
4	South 54 degrees 23 minutes East	
	181.45 feet to the place of beginning.	
	Containing 0.63 acres of land	
	more or less, Being the property of Guasie's	
2 7 7	Inc. as shown on plat plan filed	
4	feetall the Control Department	

ROBERT J. ROMADKA ATTORNEY AT LAW 809 EASTERN BOULEVARD (GERMANIA FEDERAL BUILDING) ESSEX, MARYLAND 21221 CHARLES E. FODS, HI May 19, 1981 JOHN 8. GONTRUM ALFRED M. WALPERT 686-8274

Baltimore County Office of Planning and Zoning County Office Building 111 W. Chesapeake Avenue Towson, MD 21204

> RE: Gussie's Inc. Petition for Special Hearing Case No. 81-212-SPH

Dear Sir:

We have received notice that the hearing in the above noted matter will be heard on Thursday, June 11, 1981 at 10:45 a.m.

I am respectfully requesting that this matter be postponed as I have a previously scheduled hear-ing in the Circuit Court for Baltimore County on the same date and time - Wilkens Fence Company vs. Oxford Development Company.

Your attention and cooperation in this matter is greatly appreciated.

Very truly yours,

John B. Gontrum

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

July 10, 1981

WILLIAM E. HAMMOND ZONING COMMISSIONER

JBG/jc

cc: Mr. Clyde Woodard

Robert J. Romadka, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

> RE: Petition for Special Hearing W/s Old Eastern Ave., 16' Nof Rickenbacker Rd. Gussie's, Inc. - Petitioner Case No. 81-212-SPH

Dear Mr. Romadka:

This is to advise you that \$57.00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

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czatnt 'on	BALTIMORE COUNTY, MARYLAND MISCELLANEOUS CASH RECEIPT

Robert J. Romadka, Esquire 809 Eastern Boulevard Baltimore, MD

June 17, 1981

NOTICE OF HEARING

RE: Petition for Special Hearing W/s Old Eastern Ave., 16' N of Rickenbacker Rd. Gussie's, Inc. - Petitioner Case #81-212-SPH

Tuesday, July 14, 1981 PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND

ZONING:

LCCATION:

DATE & TIME:

PUBLIC HEARING:

West side of Old Eastern Avenue, 16 feet North of Rickenbacker

Room 106, County Office Building, 111 W. Chesapeake Avenue,

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning

Commissioner and/or Deputy Zoning Commissioner should approve

a non-conforming use of a retail shopping area and apartments

PETITION FOR SPECIAL HEARING

15th DISTRICT

Tuesday, July 14, 1981 at 1:30 P.M.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regula-

Being the property of Gussie's, Inc. as shown on plat plan filed with the Zoning Department.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson,

BY ORDER OF

WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

Petition for Special Hearing

Towson, Maryland

tions of Baltimore County, will hold a public hearing:

Hearing Date: Tuesday, July 14, 1981 at 1:30 P.M.

All that parcel of land in the Fifteenth District of Baltimore County

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237

December 4, 1980

No. 1700/Eastern Avenue

Petition For Variance

ZONING: Petition for

Special Hearing LOCATION: West side

DATE & TIME Tues

PUBLIC HEARING

Maryland
The Zoning Commissioner of Baltimore Coun-

will hold a public hearing:
Petition for Special

or not the Zoning Commis-sioner and/or Deputy Zon-ing Commissioner should

approve a non-conforminguse of a retail shopping

area and apartments.

All that parcel of land in the Fifteenth District of Baltimore County.

No. 1700 Old Eastern Avanua 18th District of Saltimore County.

Avanue, 15th District, Beltimore County, Maryland.

Beginning for the same on the west side of Old Eastern Avenue at the distance of 15.67 feet measured.

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Uge Essex Times

was inserted in Qe Essex Times, a newspaper

printed and published in Baltimore County, once in

This is to Certify, That the annexed

15th District

15th District Baltimore County, Maryland

Beginning for thesame on the west side of /Eastern Avenue at the distance of 15.67 feet reasured northerly along the west side of /Fastern Avenue from the north side of Rickenbacker Road, thence running and binding on the west side of Eastern Avenue North 23 degrees 16 minutes 34 seconds East 100 feet, thence leaving Eastern Avenue for six lines of division as follows: - North 66 degrees 43 minutes 26 seconds West 348.10 feet, South 22 degrees 44 minutes 21 seconds West 99.70 feet, South 89 degrees 23 minutes 50 seconds East 36 feet, South 80 degrees 01 minute East 123.60 feet, South 60 degrees 41 minutes East 16.25 feet, South 54 degrees 23 minutes East 181.45 feet to the place of beginning.

Containing 0.63 acres of land more or less.



ROBERT J. ROMADKA
ATTORNEY AT LAW
BO9 EASTERN BOULEVARD
(GERMANIA FEDERAL BUILDING)
ESSEX, MARYLAND 21221

ASSOCIATES
CHARLES E, FOOS, III
JOHN B, GONTRUM
ALFRED M, WALPERT

July 15, 1981

686-8274

Mr. Clyde Woodard 340 Savannagh Road Baltimore, Maryland 21221

> RE: Petition for Special Hearing Gussie's Inc. - Petitioner

Dear Clyde:

I have enclosed a statement from the Office of Planning and Zoning for advertising costs due them in the amount of \$57.00. Please pay these costs as soon as possible.

This is also a reminder that hearing has been rescheduled for August 11, 1981 at 2:00 p.m. in the Office of Planning and Zoning.

Kindest personal regards.

Very truly yours,

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Robert J. Romadka

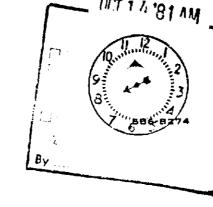
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ASSOCIATES
CHARLES E. FOOS, III
JOHN B. GONTRUM
ALFRED M. WALPERT

ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
(GERMANIA FEDERAL BUILDING)
ESSEX, MARYLAND 21221

October 12, 1981

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204



RE: Andrew and Theresa Celmer 82-36-5PH Gussie's Incorporated 81-213-5PH

Dear Commissioner Hammond:

Enclosed please find copies of revised site plans in the above referenced cases indicating the square footage of the property devoted to each particular use.

With respect to Gussie's, Inc., located at 1700 Eastern Avenue, there are three uses now in effect in the front building. These uses include a restaurant, liquor store, occupying 1857 square feet, a beauty shop occupying 652 square feet, and a sales and service outlet for washers and dryers and other appliances occupying 263 square feet. It is our contention that these uses qualify as non-conforming uses, having existed in that location prior to enactment of applicable zoning regulations.

with respect to the Celmer property, we have again asked our surveyor, Frank Lee, to determine the square footage utilized in each of the buildings for the particular uses. You will note, for instance, that three of the buildings located toward the water, are utilized exclusively for farm use, a permitted use under the existing RC-5 zoning. It is our contention, however, that this property has been used for many years and indeed qualifies for a non-conforming use for a service garage, boat yard, and contractors equipment storage yard. With respect to these uses Mr. Lee has estimated the square footage utilized for these purposes. You will note that there is no outside storage of disabled or damaged vehicles. The only outside storage is for boats and contractors equipment as indicated on the site plan. You will note also that in building number one part of the building, seventy percent, is utilized as a service garage, and thirty percent is utilized to work on boats and boat motors. Building number four is also divided for both service garage and storage.

William Hammond, Zoning Commissioner October 12, 1981 Fage 2

If you desire any further information with respect to the use of the property, please let me know. Thank you very much for your consideration with respect to this matter.

Very truly yours.

John B. Gontrum

JBG:klg

100 mg

cc: Andrew Celmer

P.S. It is my understanding that you have already received copies of these plats from Frank Lee. Ont the Celmer plat in building three, the correct use is farm use and not contractors equipment.

